

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 16th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIAH

WRIT PETITION NO.14641/1998

Between:

The Bangalore City
Institute (Regd.),
93, Fort, South Gate,
Bangalore - 560 004.
Represented by its
President.

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...PETITIONER

(By Sri.V.N.Satyanarayana, Adv.)

And:

1. The Assistant Executive
Engineer,
Basavanagudi Sub-Division,
Bangalore City Corporation,
Bangalore.
2. The Commissioner,
Corporation of the
City of Bangalore,
Bangalore.

...RESPONDENTS

(By Sri.Muniyappa, Adv.)

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This Writ Petition is filed under Articles
226 and 227 of the Constitution of India with a
prayer to quash vide Annexure 'D' & 'E' dt.6.5.98
by R-1.

This Writ Petition coming on for orders this day, the Court made the following:

O_R_D_E_R

The petitioner in this Writ Petition has challenged the order passed by the Corporation under Section 321(3) of the Karnataka Municipal Corporation Act. As against the said order an appeal is provided to the Standing Committee under Section 444 of the Karnataka Municipal Corporations Act. In view of this alternative remedy, I do not propose to interfere in this Writ Petition. In order to enable the petitioner to prefer an appeal to the standing Committee, it is just and necessary to direct the Corporation not to implement the order for a certain period.

2. Accordingly, I direct the Corporation not to take any steps to demolish the building of the petitioner for a period of two months from to-day, pursuant to the order passed under Section

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321(3) of the Act. With these observations, this Writ Petition is disposed of reserving liberty to the petitioner to file an appeal as against the order impugned in this Writ Petition.



Sd/-
JUDGE

sps/-